

REMARKS

Claims 1-12 are pending in the application. Claims 1-12 were rejected. Reconsideration and allowance of the claims as amended is requested for the following reasons.

Claims 1, 5-6, and 10 have been amended to emphasize the feature of the continuous video loop that plays in a perceptually smooth manner without any user intervention, until a user selects a desirable image. Support for the amended claims can be found in the specification on page 7, lines 4-9 and page 9, lines 24-27 along with Fig. 7.

The 102 Rejections

Claims 1, 3, 4, 9, and 10 were rejected under 35 U.S.C. 102(b) as being anticipated by Adobe Photoshop 5.

The Applicants have amended independent claims 1 and 10 to emphasize that the claimed invention includes an actual video loop streamed from several images that have been operated on. This video loop does not require a user to move a slider or other type of controller back and forth to create a "video effect", as the Examiner states regarding the cited art of Adobe Photoshop 5. Instead, the Applicant's video loop is an actual loop that plays continuously and is perceptually smooth in its appearance. Mere forward/backward movement of a slider within Adobe Photoshop 5 does not produce these features. Moreover, Applicants' video loop plays without intervention, until the user decides upon which image appearing in the loop he or she desires most based upon the rendering performed upon the particular image. The amended claims are novel, because at least one of Applicants' features is missing in the cited art. The remaining claims are deemed patentable for at least the same reasons.

Applicants, therefore, respectfully request that the Examiner reconsider and withdraw the rejection of the claims under 35 U.S.C. 102(b).

The 103 Rejections

Claims 2, 5-7, 11-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Adobe Photoshop 5 in view of Ono et al. (US 6,295,136).

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Adobe Photoshop 5 in view of Microsoft Gif Animator.

For the reasons cited above with respect to the independent claims 1 and 10 from which several of these claims depend. Regarding claims 5-7, independent claim 5 has been amended to include the novel feature also present in independent claims 1 and 10. Accordingly, because at least one of Applicants' features is missing in the cited combination, there isn't any prima facie case for the 103 rejections. Claim 8 is dependent from these claims and is considered to be patentable for at least the same reasons.

Applicants have reviewed the cited art made of record and believe that singly or in any suitable combination, they do not render Applicants' claimed invention unpatentable. It is believed that the claims in the application are allowable over the cited art and such allowance is respectfully requested.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen H. Shaw", is written over a horizontal line.

Attorney for Applicant(s)

Registration No. 45,404

Stephen H. Shaw/set
Rochester, NY 14650
Telephone: 585-477-7419
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.